

**REGULAR MEETING OF CITY COUNCIL
SEPTEMBER 1, 2009**

1:30 P.M.

PRESENT:

Jeff Brain
Leon DeWeese
Charles Gillingham
Marvin Dickson
Robert Vinyard

Mayor
Council Member
Council Member
Council Member
Council Member

STAFF:

Wanda Klause
Eddie Edwards
Jimmy Adams
Glynn Carlock
Larry Byrd
Ted Dodd
Bob Watson
Jerry Langwell
Danny Richards

City Manager
Asst. City Manager
Police Chief
Director of Finance
Code Enforcement Officer
Director of Public Works
Fire Chief
Fire Marshal
Director EOC

VISITORS:

Judy Mihm
Kenneth Clendennen
Robert Hensley
Pat Rendon

300 Butadieno
Bunavista Baptist Church
XCEL Energy

NEWS MEDIA:

Michelle Berry

Borger News Herald

QUESTIONS AND COMMENTS FROM CITIZENS: Citizens who have indicated their desire to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter is on the agenda, City Council members are prevented from acting on the subject and may respond only with statements of factual information or existing city policy; however, City Council members may request city staff to place the subject matter on a future agenda. Citizens are limited to three (3) minutes for their presentation to the City Council.

Kenneth Clendennen, 300 Butadieno, expressed his concerns in regard to the Bunavista Park. Mr. Clendennen stated that even though the City trimmed the trees and did some work in the park, the City did not go far enough in their efforts to clean, edge, and pick up trash prior to mowing.

Ted Dodd, Director of Public Works, said he would address this issue.

MINUTES APPROVED: Following review of the minutes of the Regular Meeting of August

18, 2009, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve the minutes as written. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PAYMENT OF EXPENDITURES APPROVED: Following review, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve payment of the expenditures for the last half of August as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PUBLIC HEARING CONDUCTED - ORDINANCE NO. O-006-09 INTRODUCED MAKING APPROPRIATIONS IN SUPPORT OF THE 2009-2010 BUDGET: Assistant City Manager Eddie Edwards submitted the city's proposed budget for 2009-2010 and reviewed the anticipated revenues and expenditures. Mayor Brain opened a public hearing on the proposed budget and asked if anyone wished to speak. There being no comments, the Mayor closed the public hearing. Motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to receive the budget and introduce Ordinance No. O-006-09 making appropriations in support of the fiscal year budget beginning October 1, 2009. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

FIRST PUBLIC HEARING CONDUCTED ON CITY'S 2009-2010 PROPOSED AD VALOREM TAX RATE: Assistant City Manager Eddie Edwards discussed the proposed ad valorem tax rate with the Council. The proposed tax rate of \$0.61561 per \$100.00 valuation is an increase from last year's tax rate of \$0.59206 per \$100 valuation. Mayor Brain opened a public hearing on the proposed tax rate and asked if anyone wished to speak. There being no comments, the Mayor closed the public hearing. The Mayor announced that the Council will vote on the proposed ad valorem tax rate of \$0.61561 per \$100 of valuation on September 15, 2009 at 1:30 p.m.

ORDINANCE NO. O-005-09 PERTAINING TO HEALTH CARE BENEFITS FOR RETIRED CITY EMPLOYEES APPROVED: Assistant City Manager Eddie Edwards explained Ordinance No. O-005-09 pertaining to the cost of healthcare for retired city employees. Edwards explained that currently a city retiree (under the age of 65 years) who chooses to remain on the same plan as active employees through the Texas Municipal League Intergovernmental Employees Benefits Pool, can do so at 195% of the cost of that of an active employee. Most retirees cannot afford the increase in cost; thus, they retire without health insurance. This change will cost the City of Borger approximately \$4,200 per year. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to approve Ordinance No. O-005-09 on final reading. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

The captioned ordinance reads as follows:

**AN ORDINANCE AMENDING CHAPTER 9, PERSONNEL, CITY OF BORGER
CODE OF ORDINANCES; REPEALING AND REPLACING SECTION 9.01.003;
AUTHORIZING THE OFFERING OF HEALTH BENEFITS; REPEALING SECTIONS
9.01.004 AND 9.01.005; PROVIDING FOR A REPEALER; PROVIDING AN
EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE**

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF FRITCH AND THE CITY OF
BORGER FOR DISPATCHING SERVICES APPROVED:**

Assistant City Manager Eddie Edwards reviewed the interlocal agreement between the City of Borger and the City of Fritch in the amount of \$10,000, stating that this agreement has been in effect since October of 2006. However, the Panhandle Emergency Services System discontinued their regional EMS dispatching services; thus, leaving a void that the City of Fritch has requested the City of Borger fill. City staff has assessed the financial impact to provide the additional service to be \$6,000 annually for a total annual dispatching cost of \$16,000. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve the new Interlocal Agreement between the City of Fritch and the City of Borger for dispatching services as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**INTERLOCAL AGREEMENT BETWEEN HUTCHINSON COUNTY AND THE CITY
OF BORGER FOR DISPATCHING SERVICES APPROVED:**

Assistant City Manager Eddie Edwards reviewed the interlocal agreement between the City of Borger and Hutchinson County in the amount of \$75,000, stating that this agreement has been in effect since October of 2006. However, the Panhandle Emergency Services System discontinued their regional EMS dispatching services; thus, leaving a void that Hutchinson County has requested the City of Borger fill. City staff has assessed the financial impact to provide the additional service to be \$5,000 annually for a total annual dispatching cost of \$80,000. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the new Interlocal Agreement between Hutchinson County and the City of Borger for dispatching services as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

ORDINANCE NO. O-007-09 INTRODUCED: Ordinance No. O-007-09 was submitted

amending the zoning district map as it pertains to the zoning of Lots 15-16, Block 59, Original Townsite, from a General Residence zoning district to a Commercial zoning district and schedule a public hearing for 1:30 p.m., October 6, 2009 to allow for public comment. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to introduce the ordinance and schedule a public hearing for 1:30 p.m., October 6, 2009 to allow for public hearing. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PLAT RECEIVED - PUBLIC HEARING SCHEDULED: Larry Mullinex, Director of Planning & Zoning, submitted a memorandum from the Planning and Zoning Commission requesting that the Council receive and consider a request for a re-plat of the east portion of Block 6, Westover Hills Subdivision, containing 1.858 acres located in the NE/4 of Section 23, Block Y, A&B Survey, and set a public hearing for September 8, 2009 to hear public comment. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member DeWeese, to receive the re-plat of the east portion of Block 6, Westover Hills Subdivision, located in the NE/4 of Section 23, Block Y, A&B Survey, and schedule a public hearing for 1:30 p.m., September 8, 2009 to hear public comment. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

RECOMMENDATION FROM HUTCHINSON COUNTY APPRAISAL DISTRICT FOR DISPOSITION OF PROPERTY APPROVED: Chief Appraiser of the Hutchinson County Appraisal District Diana' Hooks submitted a recommendation to dispose of Lots 3-4, Block 52, 325 N. Main, Original Townsite, which did not sell at a tax sale auction. Ms. Hooks stated that a bid of \$2,000.00 was received for this property; however, the lot is valued at \$4,478.15. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to accept the bid of \$2,000.00.. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

MEETING ADJOURNED: There being no further business, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to adjourn the meeting.

Mayor

ATTEST:

City Manager

